

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: :  
Kerr :  
Serial No. 10/530,703 ✓ : International Application No.  
PCT/US03/16575  
International Filing Date: May 27, 2003 : Priority Date: March 26, 2001  
For: DIRECT VISION PORT SITE DISSECTOR

**RESPONSE TO NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C.  
371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)**

Mail Stop MISSING PARTS  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

In response to the Notification of Missing Requirements Under 35 U.S.C. 371 in  
the United States Designated/Elected Office (DO/EO/US) mailed September 9, 2005, submitted  
herewith are the following:

- Copy of Notification of Missing Requirements; and
- Declaration signed the Inventor, Stephen Kerr;
- Check in the amount of \$590.00 in payment of the additional claim fees and the  
declaration surcharge fee.

09/28/2005 GFREY1 00000115 10530703

01 FC:2617  
02 FC:2615

65.00 OP  
525.00 OP

Docket No.: 127272.00541

PATENT

Please charge any shortage in fees due in connection with the filing of these papers, including extension of time fees, to Deposit Account No. 50-0436, and please credit any excess fees to such deposit account.

Respectfully submitted,

PEPPER HAMILTON LLP



Raymond A. Miller  
Registration No. 42,891

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Date: September 21, 2005



UNITED STATES PATENT AND TRADEMARK OFFICE

Rec'd PCT/PTO 23 SEP 2005

UNITED STATES DEPARTMENT OF COMMERCE  
 United States Patent and Trademark Office  
 Address: COMMISSIONER FOR PATENTS  
 P.O. Box 1450  
 Alexandria, Virginia 22313-1450  
 www.uspto.gov

U.S. APPLICATION NUMBER NO.	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
10/530,703	Stephen Kerr	127272.00311

INTERNATIONAL APPLICATION NO.	
PCT/US03/16575	
IA. FILING DATE	PRIORITY DATE
05/27/2003	03/26/2001

Pepper Hamilton  
 500 Grant Street  
 50th Floor  
 Pittsburgh, PA 15219

CONFIRMATION NO. 7745  
 371 FORMALITIES LETTER  
 \*OC000000016943866\*  
 \*OC000000016943866\*

Date Mailed: 09/09/2005

### NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated / Elected Office (37 CFR 1.495).

- Indication of Small Entity Status
- Copy of the International Application filed on 04/07/2005
- Copy of the International Search Report filed on 04/07/2005
- Small Entity Statement filed on 04/07/2005
- U.S. Basic National Fees filed on 04/07/2005
- Priority Documents filed on 04/07/2005

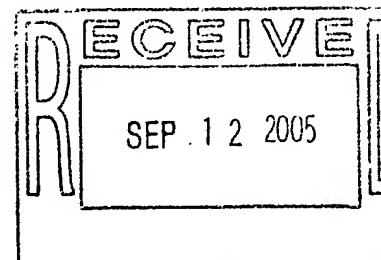
The applicant needs to satisfy supplemental fees problems indicated below.

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Additional claim fees of **\$525** as a small entity, including any required multiple dependent claim fee, are required. Applicant must submit the additional claim fees or cancel the additional claims for which fees are due.
- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date.
- To avoid abandonment, a surcharge (for late submission of filing fee, search fee, examination fee or oath or declaration) as set forth in 37 CFR 1.492(h) of \$65 for a small entity in compliance with 37 CFR 1.27, must be submitted with the missing items identified in this letter.

#### SUMMARY OF FEES DUE:

Total additional fees required for this application is **\$590** for a Small Entity:



- \$65 Surcharge.
- Total additional claim fee(s) for this application is \$ 525
  - \$525 for 21 total claims over 20.

**ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 32 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.**

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

*A copy of this notice **MUST** be returned with the response.*

DARRELL C COTTMAN

Telephone: (703) 308-9140 EXT 203

**PART 1 - ATTORNEY/APPLICANT COPY**

U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.
10/530,703	PCT/US03/16575	127272.00311

CERTIFICATE OF MAILING UNDER 37 C.F.R. § 1.10

In re Application of: :  
Kerr :  
Serial No. 10/530,703 : International Application No.  
PCT/US03/16575  
International Filing Date: May 27, 2003 : Priority Date: March 26, 2001  
For: DIRECT VISION PORT SITE DISSECTOR

DATE OF DEPOSIT: SEPTEMBER 21, 2005

I HEREBY CERTIFY THAT THIS RESPONSE TO NOTIFICATION OF MISSING REQUIREMENTS TOGETHER WITH THE DOCUMENTS CITED THEREIN IS BEING DEPOSITED WITH THE UNITED STATES POSTAL SERVICE VIA UNITED STATES POST OFFICE UNDER 37 C.F.R. § 1.10 ON THE DATE INDICATED ABOVE AND IS ADDRESSED TO THE COMMISSIONER OF PATENTS, MAIL STOP PCT, P.O. BOX 1450, ALEXANDRIA, VA 22313-1450.

Kathleen Pujol

(Typed or printed name of person mailing paper or fee)



(Signature of person mailing paper or fee)

Documents Sent:

1. Copy of Notification of Missing Requirements;
2. Executed Declaration
3. Check in the amount of \$590.00;
4. Postcard; and
5. Certificate of Mailing